

City of San Diego Airports Division  
Request for Proposals at Brown Field Airport  
Sikorsky Street approximately 10.7 Acres  
3750 John J. Montgomery Drive  
San Diego, CA 92123

Staff has received an additional question from a Request for Proposal respondent that needs to be addressed before submitting a complete and detailed package no later than Friday, February 6, 2009.

1. In order to bid on the 10.7 acre RFP at Brown Field, we need to know what will happen to the \$50,000 deposit to negotiate a lease if no agreement is reached? If the \$50,000 is forfeited if no agreement is reached do you believe this puts the RFP responder in a diminished negotiation position, and if so, what provisions have you made to create an equitable negotiating environment?

A proposal security deposit in the form of a forfeiture-type bond, a check certified by a responsible bank, or a cashier's check payable to the City Treasurer in the amount of Twenty Five Thousand Dollars (\$25,000) must be submitted with each proposal. After the final selections have been confirmed, the deposits of all unsuccessful respondents will be returned.

Within three (3) business days of selection to enter into an Exclusive Negotiating Agreement (ENA), the successful respondent(s) will be required to deposit a separate Negotiating Deposit in the amount of \$25,000. This Negotiating Deposit will become non-refundable and will be used by the City to cover costs related to studies, evaluations completed for the project, and for certain transaction costs, including consultant and attorney's fees, related to this RFP and/or negotiating subsequent agreements. An additional non-refundable fee may be charged if the parties extend the ENA beyond the initial period. The initial (\$25,000) deposit will be held as partial security against a selected respondent failing to proceed with the project. Upon execution an agreement, the initial \$25,000 proposal security deposit will become non-refundable and will be used by the City to cover costs related to studies, evaluation completed for the project, and for certain transaction costs, including consultant and attorney's fee's related to this RFP and/or negotiating subsequent agreements. No interest on any security deposit will be paid to any respondent.